

HOUSE No. 4831

Section 26 contained in the engrossed Bill making appropriations for the fiscal year 2011 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment D of House, No. 4840). July 1, 2010.

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act providing full evidentiary hearings for contributory retirement appeals.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith a full and thorough process for contributory retirement appeals, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The second paragraph of subdivision (4) of section 16 of chapter 32 of the General Laws,
2 as appearing in the 2008 Official Edition, is hereby amended by inserting after the third sentence the
3 following 2 sentences:- A hearing assigned under this section shall, at the election of a party involving a
4 claim hereunder, be subject to a full evidentiary hearing; provided, however, that such claims may be
5 subject to summary procedure only at the request of any such party; and provided further, that the
6 summary procedure shall be governed by the standard rules promulgated under section 9 of chapter 30A
7 without addition or substitution thereto. The division of administrative law appeals may impose a
8 reasonable administrative fee for the initiation of a claim under this section for the purpose of employing
9 magistrates.